

PATENT

ATTORNEY DOCKET #:9113-22

#3

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**HYDRIDE BATTERY AND FUEL CELL

the specification of which is attached hereto unless the following box is checked

☒ was filed on January 20, 1998 as Application Serial No. 09/008,947 or PCT Application No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S)**

COUNTRY	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED
_____	_____	_____	<input type="checkbox"/> YES    NO <input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/> YES    NO <input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

PROVISIONAL APPLICATION NUMBER	DATE OF FILING
<u>60/068,913</u>	<u>December 29, 1997</u>
<u>60/053,378</u>	<u>July 22, 1997</u>

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or §365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material

information as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS  
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120**

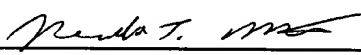
Application Serial No.	Date of Filing	Status (check one)		
		Patented	Pending	Abandoned
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

And I hereby appoint Arthur H. Seidel, Registration No. 15,979; Gregory J. Lavorgna, Registration No. 30,469; Daniel A. Monaco, Registration No. 30,480; Thomas J. Durling, Registration No. 31,349; and John J. Marshall, Registration No. 29,671, my attorneys or agents with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all correspondence to Seidel, Gonda, Lavorgna & Monaco, P.C., Suite 1800, Two Penn Center Plaza, Philadelphia, Pennsylvania 19102. Address all telephone calls to Daniel A. Monaco at 215-568-8383 (telefax: 215-568-5549).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF SOLE OR FIRST INVENTOR**

<u>Randell</u> (GIVEN NAME)	<u>L.</u> (MIDDLE INITIAL OR NAME)	<u>Mills</u> (FAMILY OR LAST NAME)
Inventor's signature: <u></u>		
Date: _____		
Country of Citizenship:	<u>U.S.A.</u>	
Residence:	<u>Yardley</u> (City)	<u>Pennsylvania</u> (State or Foreign Country)
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